

Issue Four: Determining Which Courses are Waiver Eligible

Concern: A number of the tuition waivers are for training courses. It is difficult for the General Assembly and the System Office to ensure that the waivers are granted only for the courses that the General Assembly intended. Because course names and prefixes change over time, this level of detail is generally not included in the statute. However, “training courses” is relatively vague and can be broadly interpreted, particularly when the General Assembly’s specific intent is unclear.

Recommendation: The General Assembly should consider rewording the General Statutes to grant the tuition waivers to the organization (for example, municipal, county, and State law-enforcement agencies) rather than the individual (municipal, county, and State law-enforcement officers) for the required training of its personnel. Such a rewording would clarify that the tuition waiver’s purpose is to assist the organization in the required training of its personnel.

Issue Five: Participation Limits in Waiver Categories

Concern: A number of tuition waiver categories are vague, or can be interpreted widely. The System Office requires colleges to document each instance of waived tuition, but has difficulty in determining what documentation is adequate.

Recommendation: The General Assembly should more specifically define certain terms, including:

- Individuals engaged in civil preparedness (23 NCAC 2D.0203 (a)(5)(F)),
- Law-enforcement officer (G.S. 115D-5(b)), and
- Rescue and lifesaving personnel (G.S. 115D-5(b)).

The recommendation for Issue Four may also assist with this issue.

Issue Six: Definition of Local

Concern: In the 2010 Appropriations Act (S.L. 2010-31), the General Assembly reworded the law-enforcement tuition waiver to clarify that “local” applies to only municipal, county, or State law-enforcement officers. This occurred because System Office auditors were concerned that although G.S. 115D-5(b) waived tuition for local law-enforcement officers, some colleges had waived tuition for State and Federal officers as well. According to Numbered Memo CC-89-31, in January 1989, the State Board of Community Colleges stated:

It is the intent of the State Board of Community Colleges that tuition and fees shall be waived for federal criminal justice personnel, law enforcement personnel, firefighting personnel, lifesaving personnel and rescue personnel in the same manner as all other similar groups of state and local emergency services personnel provided that the permanent duty station of these personnel is within North Carolina.”

Therefore, it is likely that State and Federal fire and rescue personnel have been waived under the local waiver as well.

Recommendation: To avoid further confusion, reword G.S. 115D-5(b) to clarify what is meant by “local” for fire departments and rescue and lifesaving departments. Consider using the wording from S.L. 2010-31, Section 8.4 for law-enforcement officers.